IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE V.K.MOHANAN

WEDNESDAY, THE 22ND AUGUST 2007 / 31ST SRAVANA 1929

WP(C).No. 16276 of 2004(K)
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PETITIONER:
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1. VASUDEAN NAMBOODIRI, SANTHI,
KALAVOOR DEVASWOM, ADIMANA ILLAM,
P.O. MAMBARAM, TELLICHERRY, KANNUR DISTRICT.

2. T.V. RAMACHANDRAN, KAZHAKAM,
THILLENKERY SIVA TEMPLE, PARAMESWARA VILAS,
THILLENKERY P.O., KANNUR DISTRICT.

3. K.P. VIJAYA RAGHAVAN, CLERK,
MUDAYOTTU KAVU BHAGAVATHY TEMPLE, OLAVILAM,
KUNHIPARAMBATH HOUSE, P.O. OLAVILAM,
TELLICHERRY, KANNUR DISTRICT.

BY ADV. SMT.ANU SIVARAMAN

RESPONDENTS:
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1. THE COMMISSIONER HR & CE DEPARTMENT
CIVIL STATION, KOZHIKODE.

2. STATE OF KERALA REP. BY ITS SECRETARY
DEVASWOM DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM.

3. C.V. THILAKARAJ, MANAGING TRUSTEE,
KALAVOOR DEVASWOM, TELLICHERRY, KANNUR DISTRICT.

4. T.K. BABU, EXECUTIVE OFFICER,
THILENKERY SIVA TEMPLE, THILLENKERY P.O.,
KANNUR DISTRICT.

5. THE MANAGING TRUSTEE, MUNDAYOTTU
KAVU BHAGAVATHY TEMPLE, OLAVILAM P.O.,
TELLICHERRY, KANNUR DISTRICT.

BY GOVERNMENT PLEADERK.SANDESH RAJ
SRI.K.V.SOHAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 22/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBIT

EXT.P1- TRUE COPY OF THE ORDER NO.A5 5996/99 DATED 24.10.00 APPROVING PETITIONER'S SERVICE

(TRUE COPY)

P.A TO JUDGE

**K.S.RADHAKRISHNAN & V.K.MOHANAN, JJ**

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W.P.(C). 16276/2004

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Dated this the 22nd day of August, 2007

**JUDGMENT**

Radhakrishnan, J

Writ petition was preferred seeking a writ of mandamus directing the respondents 3 to 5 to pay the salary and arrears due to the petitioners and also for other consequential reliefs. Counter affidavit has been filed on behalf of the first respondent stating that all the three Temples come under 'D' grade and have been given assistance for Management Fund constituted by Government for payment of salary. Accordingly, cheques for arrears of salary upto 2002 have been issued to the respondents 4 and 5 in respect of the concerned temples. So far as the third petitioner is concerned cheque for arrears upto 2000 was issued. Thereafter the income of the temple has increased and the temple is having sufficient income to meet the salary expenses of the employees and the third petitioner has to approach the third respondent for salary and other benefits. It is also pointed out that no application is received from the

second and third respondents and it is upto respondents 3 to 5 to pay any salary due to the petitioners.

In such circumstances, we are inclined to dispose of this writ petition with a direction to respondents 3 to 6, to take note of the grievances raised by the petitioners and disburse salary due to them with arrears within a period of one month from the date of receipt of a copy of this judgment.

**K.S.RADHAKRISHNAN**
**Judge**

**V.K.MOHANAN**
**Judge**

mrcs